

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY

CHARGE NUMBER

☐ FEPA
☒ EEOC

and EEOC

State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Rodney Jermaine Fraley

HOME TELEPHONE (Include Area Code)

(334) 283-5092

STREET ADDRESS

640 Muskogee Trail

CITY, STATE AND ZIP CODE

Tallassee, Alabama 36078

DATE OF BIRTH

05/21/73

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME Huff & Associates
Construction Co., Inc.

NUMBER OF EMPLOYEES, MEMBERS
Unknown

TELEPHONE (Include Area Code)
(334) 749-0052

STREET ADDRESS

1220 Fox Run Pkwy.; PO Box 2427; Opelika, Alabama 36803-2427

CITY, STATE AND ZIP CODE

COUNTY

Lee

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ AGE
☐ RETALIATION ☐ NATIONAL ORIGIN ☐ DISABILITY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE
EARLIEST (ADEA/EPA) LATEST (ALL)

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

My name is Rodney Jermaine Fraley and I reside at 640 Muskogee Trail in Tallassee, Alabama 36078. I am currently 31 years of age with a date of birth of May 21, 1973. I completed the 11th grade. My race is black or African American.

On or about June 1, 2004, I went to work for Huff & Associates Construction Company, Inc. (hereinafter "Huff & Associates") as a laborer. The superintendent on the job site where I was initially employed was a long-time employee of Huff & Associates by the name of Bobby Myers. During the entire time that I worked for Huff & Associates, Mr. Myers was constantly cursing, ridiculing, insulting and otherwise intimidating the minority employees working under his supervision. Mr. Myers routinely used racial slurs in referring to black employees. Mr. Myers made no attempt to hide or suppress his racist views. I have personally heard Mr. Myers use a variety of racially derogatory terms in referring to black and other minority employees. On one occasion I overheard Mr. Myers say, "I ain't going to put up with a bunch of ignorant niggers on my job". On another occasion Mr. Myers became enraged over something and in speaking directly to me and another black employee by the name of Barry Buckhanon said, "Your kind don't know anything". In that same conversation Mr. Myers, in referring to another

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I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

Rodney Jermaine Fraley

SUBSCRIBED AND SWORN TO BEFORE ME
(Day, month, and year)

Date 8/30/04

Charging Party (Signature)

EXHIBIT**B**

The Particulars Are:
(Continuation Page)

black employee, said, "Niggers like him don't know anything". Mr. Myers also made insulting and denigrating comments to the Hispanic workers on the job site. For instance, he would tell them that "they needed to go back to Mexico and that they did not know anything". Since Mr. Myers was the highest ranking employee of Huff & Associates on the job site, his constant cursing, ridiculing, insulting and otherwise intimidating behavior created a hostile work environment for all minority employees including myself.

I finally quit my job with Huff & Associates on or about July 27, 2004 because I could no longer tolerate the verbal and other abuse directed at me by Mr. Myers.